

REMARKS

This is in response to the Final Office Action of March 22, 2011. This Amendment is filed along with the Request for Continued Examination (RCE). With this Amendment, claims 6 and 7 are amended, claims 1-5 and 11-39 are canceled and all pending claims 6-9 are presented for consideration and favorable action.

In the Office Action, independent claim 1 was rejected based upon Hof (US 6,293,395), claim 6 was rejected based upon Gartner et al. (US 6,170,654). It is believed that the amended claims are patentably distinct from these references.

With this response, claim 6 has been amended to clarify that the cap is threadably coupled to an exterior surface of a lip portion of the main body. Further, the cap is releasably coupled to a spouting guide member by a hook portion which engages a circumferential projection. The spouting guide member is moved away from the container by unscrewing the cap. Further, moving of the spouting guide member away from the container is stopped by a fixing projection which abuts the lip portion (see element 24 shown in Figures 1-3). It is believed that this configuration is not shown in the cited references. Further, as stated in the previous response, the above described movement is used to releasing a seal which allows the material to enter the container.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejection claims in further prosecution of this or related applications.

In view of the above amendments and remarks, it is believed that the present application is in condition for allowance. Consideration and favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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